

HOUSE BILL 499

R5

0lr2064
CF SB 324

By: **Delegate Malone**

Introduced and read first time: February 1, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Approaching Emergency Vehicles and Personnel**

3 FOR the purpose of requiring drivers approaching an emergency vehicle that is
4 stopped, standing, or parked on a highway and using any visual signals, unless
5 otherwise directed by a police officer or traffic control device, to vacate the lane
6 closest to the emergency vehicle under certain circumstances or to slow to a
7 reasonable and prudent speed that ensures the safety of the emergency services
8 personnel under certain circumstances; and generally relating to the rules of
9 the road when approaching emergency vehicles and personnel.

10 BY repealing and reenacting, with amendments,
11 Article – Transportation
12 Section 21–405
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2009 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Transportation**

18 21–405.

19 (a) On the immediate approach of an emergency vehicle using audible and
20 visual signals that meet the requirements of § 22–218 of this article or of a police
21 vehicle lawfully using an audible signal, the driver of every other vehicle, unless
22 otherwise directed by a police officer, shall yield the right-of-way.

23 (b) On the immediate approach of an emergency vehicle using audible and
24 visual signals that meet the requirements of § 22–218 of this article or of a police
25 vehicle lawfully using an audible signal, the driver of every other vehicle, unless

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 otherwise directed by a police officer, shall drive immediately to a position parallel to
2 and as close as possible to the edge or curb of the roadway, clear of any intersection.

3 (c) On the immediate approach of an emergency vehicle using audible and
4 visual signals that meet the requirements of § 22–218 of this article or of a police
5 vehicle lawfully using an audible signal, the driver of every other vehicle, unless
6 otherwise directed by a police officer, shall stop and stay in this position until the
7 emergency vehicle has passed.

8 (d) A driver, when proceeding in the same direction as an emergency or
9 police vehicle, may not pass an emergency vehicle using audible and visual signals
10 that meet the requirements of § 22–218 of this article or a police vehicle lawfully using
11 an audible signal unless:

12 (1) The emergency vehicle has stopped; or

13 (2) Otherwise directed by a police officer.

14 (e) **UNLESS OTHERWISE DIRECTED BY A POLICE OFFICER OR A TRAFFIC**
15 **CONTROL DEVICE, WHEN AN EMERGENCY VEHICLE USING ANY VISUAL SIGNAL**
16 **THAT MEETS THE REQUIREMENTS OF § 22–218 OF THIS ARTICLE IS STOPPED,**
17 **STANDING, OR PARKED ON A HIGHWAY, THE DRIVER OF A MOTOR VEHICLE**
18 **APPROACHING THE EMERGENCY VEHICLE FROM THE REAR SHALL:**

19 (1) **ON A HIGHWAY THAT IS DIVIDED INTO TWO OR MORE**
20 **CLEARLY MARKED LANES FOR VEHICULAR TRAFFIC MOVING IN THE SAME**
21 **DIRECTION, VACATE THE LANE CLOSEST TO THE EMERGENCY VEHICLE; OR**

22 (2) **IF THE DRIVER OF THE MOTOR VEHICLE IS UNABLE TO**
23 **VACATE THE LANE CLOSEST TO THE EMERGENCY VEHICLE, OR ON A HIGHWAY**
24 **THAT HAS ONLY ONE LANE OF TRAVEL MOVING TOWARD THE EMERGENCY**
25 **VEHICLE, REDUCE THE SPEED OF THE MOTOR VEHICLE TO A REASONABLE AND**
26 **PRUDENT SPEED THAT ENSURES THE SAFETY OF THE EMERGENCY SERVICES**
27 **PERSONNEL.**

28 (F) This section does not relieve the driver of an emergency vehicle from the
29 duty to drive with due regard for the safety of all persons.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2010.